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Raymond Y. Chan+
Albert Justin Lum^
Patricia L. Ray^
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Jeson Lin Kuang~
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- +Reg. Patent Agent (US)
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#### **D&R I.P. LAW FIRM**

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www.davidandraymond.com www.dnriplaw.com LOS ANGELES ·

IRVINE · SAN JOSE

BEIJING  $\cdot$  SHANGHAI SHENZHEN  $\cdot$  HANGZHOU NINGBO  $\cdot$  SHAOXING WUHAN  $\cdot$  FOSHAN

TAIWAN · HONG KONG
VIETNAM · MALAYSIA

eBay Legal Department, and eBay Seller Services 2065 Hamilton Ave, San Jose, CA 95125

Re: Urgent Legal Action needed in response to Judicial Injunction

Dear eBay legal Department and eBay Seller Services

This law firm represents Chuanqi Liu in pursuit of enforcement of his Design Patent on a unique bicycle saddle, United States Patent No. D879,488S. Successful legal action has been taken after discovering that infringing bicycle saddles are being sold on the eBay Marketplace.

Please be advised that pursuant to that effort, a Judicial Injunction has been issued by Western District of Pennsylvania in CHUANQI LIU vs. FOUJOY, YBEKI, LINGMAI, SUNJOYCO, FANCYES, AUCARKEE, DAWAY, MONDAY, LAUS, SIHMQIK, NEUFLY, ACCOT, SGODDE, NOVASHION, EBIKELING, IPOW, NONBRAND, YQ&TL, WUSUOWEI, GAODINGD, DAOZX (collectively "Defendants"), Case No. 2:22-CV-00367 on May 31 requiring immediate actions on the part of the eBay Marketplace. Each of Defendants unauthorized infringing items is shown in Schedule A and Schedule B (with the link of 7 Defendants we can find in eBay), attached to this letter.

A copy of the Injunction is attached. Pursuant to this Order, within 5 business days, disable any and all accounts and/or services used by Defendants to market, advertise, sell, and/or offer for sale the Infringing Products and any goods in conjunction with the Infringing Products. See Injunction Paragraph 6. Please be advised that "YLG" and "X WING" brands are not Defendants but are legal patent licensees authorized by Patentee Chuanqi Liu.

It is also ordered that within 2 business days eBay must identify any and all accounts and/or funds associated with the Defendants online marketplace accounts and restrain and enjoin any accounts and/or funds from being transferred or disposed and provide to the undersigned information sufficient to show the amounts restrained. See Injunction Paragraph 7.

Case 2:22-cv-00367-CCW Document 26-1 Filed 08/22/22 Page 2 of 19

In support of carrying out the Order, please provide to the undersigned, within 5 business days, all

documents in your possession, custody, or control relating to:

a. The identities of and all contact information, including email addresses, related to Defendants

and any entities having any ownership or control over any online marketplace account operated by

Defendants;

b. The identities of any online marketplace accounts owned, operated, or controlled by

Defendants and their officers, affiliates, agents, and/or employees, specifically including any marketplace

accounts;

c. Any and all sales made by the Defendants and other entities identified in response to

paragraph (a) and the online marketplace accounts identified in response to paragraph (b);

d. Any and all financial accounts owned, operated, or controlled by Defendants and/or their

officers, affiliates, agents, and/or employees used in conjunction with the sale and/or offering for sale of

Infringing Products, where Infringing Products includes any wing shape bicycle seat sold by Defendants.

These requirements are clearly articulated by Judge Weigand in the attached injunction.

It is imperative that the eBay Marketplace cooperate in taking the steps that are directed in that injunction.

Please respond to the undersigned with an acknowledgment of actions taken pursuit to this legal directive.

Respectfully

Patricia Ray, Attorney for Chuanqi Liu

Email: raypatricia@yahoo.com

D&R I.P. LAW FIRM, APLC

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## SCHEDULE A

N u m be	Defendant	Sample	ASIN	Trademark Address	Business Address	Link
1	FOUJOY	FOUJOY	B07WCLZHK H	No.1,Ln1066,San wu Rd,Luotuo St,Zhenhai Ningbo, 315000	Ningbo Zhenhai Yongcheng Zhiyi Co.,Ltd. Room 11-4, No. 1, Lane 1066, Sanwu Road, Luotuo street, Zhenhai District, Ningbo, Zhejiang,315202, CN	https://www.amaz on.com/FOUJOY- Comfortable- Oversized- Breathable- Replacement/dp/B 07WLYRZMV/ref=sr 1 204?dchild=1&k eywords=bike+seat &qid=1610060201 &sr=8-204
2	YBEKI		B0824TCM5N	Yao Jianbing INDIVIDUAL CHINA No.44, Jitouling Group, Huangjia Village Taiyuan Village, Nanfeng County Fuzhou, Jiangxi, 344000	Shenzhen shirui tenuo trading company Ltd. 501, No. 95, GangbianFang, Futian community, Futian street, Futian District, Shenzhen, Guangdong,5180 00,CN	https://www.a mazon.com/YBEKI -Comfortable-Seat- Bicycle-Thickened- Breathable/dp/B082 4TCM5N/ref=sr 1 16'dchild=1t&keyw ords=bike+seat&qi d=1610059238&sr= 8-16
3	LINGMAI		B07C68LZKV	Shunde District of Foshan Shun Di commerce Co., Ltd. CHINA the New Village of Sand Lane No. 9 Fengsha, Daliang Shunde District FoShan, Guangdong CHINA 528300	Feng Sha He geng xin cun Da Dao 9 lane, No6, Fo Shan Shi, Shun De Du Da Liang, 528300, CN	https://www.a mazon.com/LING MAI-Comfortable- Oversize- Stationary- Oversize- Stationary- Oversize- 92/dp/B07C68LZK V/ref=pd di sccai 33?pd rd w=4LLV J&pf rd p=c94432 70-b914-4430- a90b- 72c3c7c784e0&pf rd r=C1H9M16065 J8YRTP70OW&pd rd r=b81b33f3- 36f3-47f0-8b63- 5c7e82a25af3&pd rd wg=iKK2H&pd rd i=B07C68LZK V&psc=1
4	SUNJOYCO		B088Z1XJ5H	Shenzhen Neoteric Technology Development CO., LTD CHINA RM 1202A FLR 2 BLDG 1 Bachelor Dormitory Meilin Duoli Industry Area, Beihuan Rd. Futian Distr., Shenzhen, 518000	853 E Ohio Ave, Denver, Colorado,80209, US	https://www.amazo n.com/Comfortable -Suspension- Waterproof- Replacement- Stationary/dp/B088 Z1XJ5H/ref=sr 1 3 02°dchild=1&keyw ords=bike+seat&qi d=1610061432&sr= 8-302

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5	FANCYES	B098348D21	Du,Mingzheng INDIVIDUAL CHINA Group 6,Qianxiaohuai Vil Huangfu Tn,Wanrong County Xuzhou CHINA 471002	shenzhen yinan trading company Ltd. 101, Yinfeng building, No. 2, Haihua Road, zone 50, Haihua community, Xin'an street, Bao'an District, Shenzhen, Guangdong, 518000, CN	https://www.a mazon.com/Fancye s-Oversize-Bicycle- Replacement- Universal/dp/B098 348D21/ref=sr 1 2 98?crid=X5YP3W2J GEQV&dchild=1&k eywords=bike+seat +oversized&qid=16 30626558&sprefix= bike+seat+overs%2 Caps%2C235&sr=8- 298
6	AUCARKEE	B093KD3RVS	Shenzhen saihailun Technology Co., Ltd. CHINA Rm.301, Bldg.11, Heyueju, Niushipu Rd Henggang St., Longgang Dist. ShenZhen CHINA 518173	202, building 1, No. 4, Tiancheng Road, Gaofeng community, Dalang street, Longhua District, Shenzhen, Guangdong, 518109, CN	https://www.a mazon.com/Oversiz ed-Comfortable- Cushion-Absorbing- Waterproof/dp/B0 93KD3RVS/ref=sr 1 29?crid=3PJ700C2 BAOOS&dchild=1&k eywords=bike+seat +oversized&qid=16 30620484&sprefix= bike+seat+over%2C aps%2C249&sr=8- 29
7	DAWAY	B08S3H18B8	Chen JianXi INDIVIDUAL CHINA No.612,No.5 Liyuan Bachelor Block,Luohu District Shenzhen CHINA 518000	UGOOD LTD.  1942 Broadway Street,STE 314C, Boulder,Co, 80302, US	https://www.a mazon.com/DAWA Y-Oversized- Comfortable-Bike- Seat/dp/B08S3H18 B8/ref=sr 1 24?cri d=3PJ700C2BAOOS &dchild=1&keywor ds=bike+seat+overs ized&aid=1630620 484&sprefix=bike+s eat+over%2Caps%2 C249&sr=8-24
8	MONDAY	B08CZTKRZ1	N/A	TaiAn DongYuan MenYe Co., Ltd. CHINA Laocheng sub district office, No. 11 Jianshe Road, Tai'an City, Feicheng City, Shandong Province, 27100, CN	https://www.a mazon.com/Comfor t-Bicycle-Oversize- Waterproof- Cruiser/dp/B08CZT KRZ1/ref=sr 1 11 6?dchild=1&keywo rds=bike+seat&qid =1610059836&sr=8 -116
9	LAUS	B091THB2ZQ	Shenzhen Pinlv Technology Co., Ltd. CHINA F/D9, Bldg.5, Software Ind. Base, No.16 Haitian 2 Rd., Binhai Community Nanshan Dist.,Shenzhen CHINA 518000	eboece storefront  No. 11, No. 13, No. 15, No. 14, No. 16, Haitian Second Road, Binhai community, Yuehai street, D9 floor, building 5, software industry base, Nanshan District, Shenzhen, Guangdong, 518000, CN	https://www.a mazon.com/LAUS- Oversized-Comfort- Comfortable- Replacement/dp/B 091THB2ZQ/ref=sr 1 39?crid=3PJ700C 2BAOOS&dchild=1& keywords=bike+sea t-oversized&qid=1 630620484&sprefix =bike+seat+over%2 Caps%2C249&sr=8- 39

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10	SIHMQIK	candary.	B089T6721K	Shenzhen Chameiee Leather Co.,Ltd. limited company (ltd.) CHINA Rm 201,No.29,Longd a Community, Hongji Rd Longdong Area,Longgang Str,Longgang Dist Shenzhen CHINA 518000	Shenzhen Chameiee leather Co., Ltd  Rm 201,No.29,Longd a Community, Hongji Rd Longdong Area,Longgang Str,Longgang Dist Shenzhen,518116 , CN	https://www.amaz on.com/dp/B08976721 K/ref*sspa dk detail 6?psc=1&pd rd i=B08 916721kp13NParams &spLa=ZWSienlwdGV kUXVhbGlmaWVyPU EvR09XUldYV082Wk xRJmVy315cHRIZEI kPUExMDAxMjEyUF pFQk1ZMzRZSDczJm vJv315cHRIZEFI&W Q9QTAyMTkyNzEyM UpHOjRITYBXRTc5J ndpZGdldE5hbWU9c3 BIZGVOYWISMIZHY3 Rpb249Y2xpY2tSZW RpemVjdCZkb05vdEx vZ0NsaWNrPXRydW U=
11	NEUFLY		B08VFQWC4Y	Shenzhen Weida Trading Technology Co., Ltd. CHINA 2602, Block 4, Haixuan Plaza, 89 Jinlong Rd, Luogang Community, Buji St Longgang Dist, Shenzhen, CHINA 518000	Shenzhen hongruimiao Trade Co., Ltd 1103, No. 4, 1st lane, CHANGKENG District, Yangmei community, Bantian street, Longgang District, Shenzhen, Guangdong Province, 518000, CN	https://www.a mazon.com/NEUFL Y-Oversized- Comfort-Bicycle- Waterproof/dp/B0 8VFGWC4Y/ref=sr 1 10?crid=3PJ700C 2BAO05&dchild=1& keywords=bike+sea t-oversized&qid=1 630620484&sprefix =bike+seat+over%2 Caps%2C249&sr=8- 10
12	ACCOT		B07X6CT7NF	ShenZhenShi LeMeng Network Technology Co.LTD LIMITED LIABILITY COMPANY CHINA	Shenzhenshi Longhuaqu Dalangjiedao,She nzhen,518000,CN	https://www.a mazon.com/ACCO T-Waterproof- Bicycle-Cushion- Univesal/dp/B07X6 CT7NF/ref=sr 1 7 3?dchild=1&keywo rds=bike+seat&qid =1610059238&sr=8 -73
13	SGODDE		N/A	Shenzhen Yisi Technology Co., Ltd limited company (ltd.) CHINA	N/A	https://www.a mazon.com/SGOD DE-Oversized- Comfortable- Stationary_ Waterproof/dp/B08 6JMKL4Z/ref=sr 1 202?dehild=1&ke ywords=bike+seat& qid=1610060201&s r=8-202
14	NOVASHIO N		N/A	N/A	N/A	https://www.w almart.com/ip/Over sized-Comfort- Bike-Seat-Most- Comfortable- Replacement- Bicycle-Saddle- Universal-Fit- Exercise-Outdoor- Bikes-Suspension- Wide-Soft- Padded/437078869

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15	EBIKELING	B08XFS73MQ	EFE International Inc AKA Ebikeling CORPORATION ILLINOIS Suite 107 2246 Palmer Dr Schaumburg ILLINOIS 60173/ 5658 W Fillmore St, Chicago, IL,60644, US	5658 W Fillmore St,Chicago, IL, 60644, US	https://www.amazo n.com/dp/B08XBV14B8/ rcf=sspa.dk, detail.1/psc =1&pd rd i=B08XBV14B RS&pd rd w=MKu3q&p f.rd p=7771f1a2-d77a- 4098-a19c =9VsW1&pf rd r=JJJ000 3JEZ51S2X9S89D&pd r d r=852e1d1b-0574 4720-8678- 8e851272ab80∣=A1 8NOE175OOAZM&spLa =ZW5jenlowdGVkUXVhb GlmaWVyPUE-R09XUI dyT082W8xBmWvyJ35 elfRIZEIRPUE-WNO3NT gyMUYKMTY4SDhRVk pCUyZlbmNvcXBQZWR BZEIRPUE-WNO3NT gyMUYKMTY4SDHVJDH JIZOJE
16	IPOW	B08TQTBZY8	Shenzhen Jingdu Technology Co., Ltd. CHINA 3A02, Bldg. A, Huashenghui, Qianjin 2nd Rd. Xixiang St., Bao'an Dist. Shenzhen City CHINA	Shenzhen Houxin Trading Co., Ltd. C1-707, Building C, Bantian International Center, Huanchen g South Road No. 5, Ma'antang Community, Bantian St.Longgang District, Shenzhen, Guangd ong, 518000, CN	https://www.ama zon.com/IPOW- Oversized-Thickened- Waterproof- Universal/dp/B08TQTB ZY8/refss 1 52?crid= 3PJ700C2BA005&dchil d=1&keywords=bike+s eat+oversized&qid=16 30620484&sprefix=bik e+seat+over%2Caps%2 C249&sr=8-52
17	NONBRAND	B08BJW9SWQ	N/A	N/A	https://www.ama zon.com/Seat- Oversized- Comfortable-Cushion- Extra-Replacement- Universal- Soft/dp/B08BIW9SWQ /ref=sr 1 2277crid=X5 YP3W2JGEQV&dchild= 1&keywords=bike+seat +oversized&qid=16306 Z5930&Sprefix=bike+sea at+overs%2Caps%2C23 S&sr=8-227
18	YQ&TL	B0972ZQQTK	N/A	N/A	https://www.ama zon.com/YQ-TL- Comfortable- Replacement-Ball- Universal/dp/809722Q QTK/ref=sr 1 248?crid =X5YP3W2/GEQV&dchi Id=1&keywords=bike+s eat+oversized&qid=16 306259308.prefix=bik e+seat+overs%2Caps% 2C235&sr=8-248
19	WUSUOWE I	B09C5MCHF5	N/A	N/A	https://www.ama zon.com/Wusuowei- Oversized-Bicycle- Comfortable- Replacement/do/Bo9C SMCHF5/ref=sr 1 280 ?crid=XSYP3W2/GEQV &dchild=1&keywords= bike+seat+oversized&q id=1630626330&sprefi x=bike+seat+overs%2C aps%2C235&sr=8-280

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20	GAODINGD	B09D9F1YNT	N/A	N/A	https://www.ama zon.com/GAODINGD- Shock-Absorbing- Comfortable-Electric- Oversized/dp/B09D9F1 YNT/ref=sr 1 2917crid =XSYP3W21GEQV&dchi Id=1&keywords=bike+s eat+oversized&did=16 30626330&sprefix=bik e+seat+overs%2Caps% 2C235&sr=8-291
21	DAOZX	B0932GTV43	N/A	N/A	https://www.ama zon.com/DAOZX- Comfortable- Oversized-Breathable- Universal/dp/80932K7 TSI/refess 1 3012rdie x5YP3W2JGEQV&dchil d=1&keywords=bike+s eat+oversized&qid=16 30626810&sprefix=bik e+seat+overs%2Caps% 2C235&sr=8-301

# SCHEDULE B

NUMBER	SELLER NAME	ITEM URL
1	YBEKI	https://www.ebay.com/itm/325220338511?hash=item4b b8a48b4f:g:MrUAAOSw9bpilQJk
2	LINGMAI	https://www.ebay.com/itm/224814048214?hash=item34 57f623d6:g:d5oAAOSw1T1h9bjx
3	DAWAY	https://www.ebay.com/itm/393597435218?hash=item5b a43c3d52:g:2G8AAOSwxj9hTuR6
4	LAUS	https://www.ebay.com/itm/393597435218?hash=item5b a43c3d52:g:2G8AAOSwxj9hTuR6
		https://www.ebay.com/itm/125006355619?hash=item1d 1af59ca3:g:ew4AAOSw911hlE~O
		https://www.ebay.com/itm/194418512043?hash=item2d 443f10ab:g:xOQAAOSw-CRhXR9I
5	SIHMQIK	https://www.ebay.com/itm/154990792491?hash=item24 162bcf2b:g:BHsAAOSw0LxifIxf&amdata=enc%3AAQ AHAAAA4ItoP%2Bb8hpEQsdkpOdR1ywK4C4xbaiI9 fB34UDRZbPO71LJFuZQkXrs91DMmNLFSsCPI58W s7vdkHUUa9F11me3ISrC7etCaAonTQkEf1YYs6XD1p

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		NijP%2B9GVoRxoV6M3EjZmCgTTHRuHChoCAs2hi IKsphekrD21csPQmLiP%2FMqUj9Sn1rgYx3AhFvg4s IuINSG%2F%2FTmtvGkzGXGQII8Jk4G8SqoMCFSP WFVbEEMsfM8oNbaBbL6Z7S82PUvHqb%2FhQenC HfRLbLVVoZVNFVX7zpejw%2FT0j%2BgDyoqfxuM eO3U%7Ctkp%3ABFBMisrDtadg
6		https://www.ebay.com/itm/313762837847?epid=12039 360498&hash=item490db8f557:g:nT4AAOSwOnphmp 9H
	ACCOT	https://www.ebay.com/itm/254906565291?epid=12039 360498&hash=item3b599d82ab:g:xrsAAOSw7fJgUnI <u>U</u>
		https://www.ebay.com/itm/313880888686?epid=12039 360498&hash=item4914c2456e:g:J30AAOSw9cBiD6T <u>K</u>
7	EBIKELING	https://www.ebay.com/itm/274707280072?hash=item3f f5d470c8:g:xJsAAOSw4e9hHrWZ

### IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHUANQI LIU,

Plaintiff,

2:22-CV-00367-CCW

VS.

FOUJOY, YBEKI, LINGMAI, SUNJOYCO, FANCYES, AUCARKEE, DAWAY, MONDAY, LAUS, SIHMQIK, NEUFLY, ACCOT, SGODDE, NOVASHION, EBIKELING, IPOW, NONBRAND, YQ&TL, WUSUOWEI, GAODINGD, DAOZX,

Defendants.

#### **PRELIMINARY INJUNCTION ORDER**

Whereas Plaintiff filed an Ex Parte Application (the "Application") for the following: (1) a Temporary Restraining Order, (2) an Order Restraining Assets and Merchant Storefronts, and (3) an Order to Show Cause Why a Preliminary Injunction Should Not Issue as to the Defendants identified in Schedule "A" to the Complaint.<sup>1</sup> The Court has considered the Application, the evidence in the record, and the applicable law.

Whereas on May, 18, 2022, the Court entered an Order on the Application which included the following: (1) a Temporary Restraining Order; (2) an Order Restraining Assets and Merchant Storefronts, <sup>2, 3</sup> (3) an Order to Show Cause Why a Preliminary Injunction Should Not

<sup>&</sup>lt;sup>1</sup> As alleged in the Complaint, Defendants are knowingly and intentionally promoting, advertising, distributing, offering for sale, and selling patent infringing versions of Plaintiff's bicycle saddle design (the "Infringing Products") which infringe at least one claim of U.S. Design Patent No. US D879,488 S ("Plaintiff's Design Patent" or "the '488 patent") throughout the United States, including within the Commonwealth of Pennsylvania and this district, by operating fully interactive, commercial Internet based e-commerce stores accessible in Pennsylvania, via at least the Amazon.com and eBay.com Internet market place platforms operating using the seller identities identified on Schedule "A" to the Complaint (the "Seller IDs").

<sup>&</sup>lt;sup>2</sup> A "Merchant Storefront" is any and all User Accounts through which Defendants, their respective officers,

Issue as to the Defendants identified in the attached Schedule "A" to the Complaint. In addition, pursuant to Plaintiff's *Ex Parte* Motion for an Order Authorizing Alternative Service on Defendants, this Court on May 10, 2022, granted a Motion for Alternative Service, pursuant to Federal Rule of Civil Procedure 4(f)(3), thereby authorizing service by email or web posting.

WHEREAS, pursuant to the terms of the Alternative Service Order, the Defendants have been served with notice of the Show Cause Order and none have entered an appearance or filed an opposition.

#### **ORDER**

#### I. Restraining Order

A. IT IS HEREBY ORDERED that, as sufficient cause has been shown, the injunctive relief previously granted on May 18, 2022, shall remain in place through the pendency of this litigation, and issuing this Preliminary Injunction (hereafter "PI Order") is warranted under Federal Rule of Civil Procedure 65 and 35 U.S.C. §§ 171, 271. Pursuant to the terms of the Alternative Service Order, the Defendants have been served with notice of this Show Cause Hearing and none have entered an appearance or filed on opposition to the Show Cause Order. Accordingly, each Defendant, its officers, directors, employees, agents, subsidiaries, distributors,

employees, agents, servants and all persons in active concert or participation with any of them operate storefronts to manufacture, import, export, advertise, market, promote, distribute, display, offer for sale, sell and/or otherwise deal in products, including Infringing Products, which are held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them. Also as alleged in the Complaint, Defendants are using Plaintiff's Design Patent without authorization and are infringing on Plaintiff's Design Patent rights, namely the '488 Patent, by promoting, selling, offering for sale, and/or distributing within this district and throughout the United States products that infringe on the '488 Patent by operating ecommerce stores established via the Internet Marketplace websites Amazon.com and eBay.com (and potentially others) under their Store Names and Seller Names identified on Schedule "A" to the Complaint (the "Seller IDs"). <sup>3</sup> "User Account" is, as defined in the Complaint, any and all accounts with online marketplace platform(s) Amazon.com, eBay.com as well as any and all as yet undiscovered accounts with additional online marketplace platforms held by or associated with Defendants, their respective officers, employees, agents, servants and all other persons in active concert with any of them. A "Merchant Storefront" is any and all User Accounts through which Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them operate storefronts to manufacture, import, export, advertise, market, promote, distribute, display, offer for sale, sell and/or otherwise deal in products which are held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in participation with any of them.

and all persons in active concert or participation with any Defendant having notice of this Order are hereby restrained as follows:

- (1) From their unauthorized and unlicensed use, sale or offer for sale of products that infringe Plaintiff's Design Patent; and (b) shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner products which infringe Plaintiff's Design Patent;
- (2) from secreting, concealing, destroying, altering, selling off, transferring or otherwise disposing of and/or dealing with any computer files, data, business records, documents or any other records or evidence relating to their User Accounts, Merchant Storefronts, or any money, securities or other property or assets of Defendants related to their User Accounts (hereinafter collectively referred to as "Defendants' Assets"), effecting assignments or transfers, forming new entities or associations, or creating and/or utilizing any other platform, Merchant Storefront or any other means of importation, exportation, advertising, marketing, promotion, distribution, or display for the purposes of circumventing or otherwise avoiding the prohibitions set forth in this Order;
- (3) each Defendant, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order shall immediately discontinue use of the any products that infringe Plaintiff's Design Patent from use on any web page from any advertising links to other websites, from search engines' databases or cache memory, and any other form of use such terms or works which is visible to a computer user or serves to direct computer searches to Internet based ecommerce stores owned, or operated in concert with a Defendant, including the Merchant Storefronts operating under the Seller IDs;

- (4) each Defendant shall not transfer ownership of the User Accounts or Merchant Storefronts associated with the Seller IDs;
- (5) each Defendant shall preserve copies of all computer files relating to the use of any User Accounts and/or Merchant Storefronts under the Seller IDs and shall take steps necessary to retrieve computer files relating to the use of the User Accounts and/or Merchant Storefronts under their Seller IDs that may been deleted before the entry of this Order;
- (6) Upon receipt of notice of this Order, Defendants and all financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, including but not limited to Amazon.com, Inc. and its affiliate, Amazon Services LLC d/b/a Amazon.com ("Amazon"), eBay, Inc. d/b/a eBay.com ("eBay") shall immediately identify and restrain all funds, as opposed to ongoing account activity, in or which are hereafter transmitted into the accounts related to the Defendants as identified on Schedule "A" hereto, as well as all funds in or which are transmitted into (i) any other accounts of the same customer(s); (ii) any other accounts which transfer funds into the same account(s), and/or any of the other accounts subject to this Order; and (iii) any other accounts tied to or used by any of the Seller IDs identified on Schedule "A" hereto;<sup>4</sup>
- (7) Upon receipt of notice of this Order, Defendants and all financial institutions,<sup>5</sup> accepting payment for unauthorized sales, including payment processors, banks, escrow services, money transmitters, or marketplace platforms, shall immediately divert to a holding account for the trust of the Court all funds in or which are hereafter transmitted

<sup>&</sup>lt;sup>4</sup> This Order contemplates that discovery may reveal that Defendants may have other user accounts and that the additionally discovered account holders shall also be subject to the restraints and injunctions set forth in this Order.

<sup>&</sup>lt;sup>5</sup> Financial Institutions, include, any banks, financial institutions, credit card companies and payment processing agencies, such as Paypal, Inc. and Amazon Payments, Inc. d/b/a pay.amazon.com, and other companies or agencies that engage in the processing or transfer of money and/or real or personal property of any Defendant.

into all accounts related to Defendants identified in Schedule "A" hereto, and associated payment accounts, and any other accounts for the same customer(s) as well as any other accounts which transfer funds into the same financial institution account(s) as any other accounts subject to this Order. All financial institutions accepting such payments, and restraining the subject funds shall, within five (5) business days of receiving this Order, provide Plaintiff's counsel with all data that details (i) an accounting of the total funds restrained and identifies the financial account(s) which the restrained funds are related to, and (ii) the account transactions related to all funds transmitted into financial account(s) which have been restrained. Such restraining of the funds and the disclosure of the related financial institution account information shall be made without notice to the account holders, until after those accounts are restrained. No funds restrained by this Order shall be transferred or surrendered for any purpose without express authorization of this Court;

- (8) Upon Plaintiff's request, any Internet marketplace shall immediately cease fulfillment of and sequester Defendants' inventory assets corresponding to the Seller IDs identified on Schedule "A" hereto in its inventory, possession, custody, or control, and hold such goods in trust for the Court during pendency of this action;
- (9) this Order shall apply to the Seller IDs, associated Accounts and Merchant Storefronts, and any other seller identification names, Accounts or Merchant Storefronts, Third Party Service Provider or financial institutions, or financial accounts which are being used by Defendants for the purpose of infringing and profiting from Plaintiff's rights in its Design Patent;
- (10) Defendants and financial institutions, payment processors, banks, escrow services,

money transmitters, or marketplace platforms may petition the Court to modify the asset restraint set forth in this Order;

- (11) this Order shall remain in effect until such further order issued by the Court or stipulated to by the parties.
- B. IT IS HREBY ORDERED, as sufficient cause has been shown, that the products as pictured in **Schedule "A"** to the Complaint are either made, used by, offered for sale or sold into the United States contain every element or equivalent of at least one claim of the '488 Patent:
  - (1) Amazon and eBay shall be restrained and enjoined from processing payments for sales of bicycle saddle products identified by the Plaintiff as either identical or substantially similar to the products listed in **Schedule "A"** to the Complaint that has not been authorized by Plaintiff; Plaintiff shall provide notice to Amazon and eBay of Plaintiff's authorized sellers;
  - (2) upon Plaintiff's request, Amazon and eBay respectively shall remove listings and/or advertisements for any product that Plaintiff identifies as being either identical or substantially similar to the products listed in **Schedule "A"** to the Complaint; and
  - (3) related Financial Institutions that are collecting funds from sales of Infringing Products are hereby restrained from cooperating in the secreting, concealing, transferring, disposing of, withdrawing, encumbering or paying Defendants' Assets from or to financial accounts associated with or utilized by any Defendant ("Defendants' Financial Accounts") until further ordered by this Court; and
- C. IT IS HEREBY ORDERED, as sufficient cause has been shown, (1) that no funds restrained by this Order shall be transferred or surrendered for any purpose without express authorization of this Court; (2) any Defendant or financial institution/ financial account holder subject to this Order may petition the Court to modify the asset restraint set out in this Order;

and (3) this Order shall remain in effect until such further dates as set by the Court or stipulated by the parties.

#### II. Security Bond

IT IS FURTHER ORDERED, the \$5,000.00 bond posted by Plaintiff shall remain with the Court until a final disposition of this case or until this Preliminary Injunction Order is terminated.

IT IS SO ORDERED.

DATED this 31st day of May, 2022.

BY THE COURT:

/s/ Christy Criswell Wiegand CHRISTY CRISWELL WIEGAND United States District Judge

cc (via ECF email notification):

All Counsel of Record

### Schedule A

Nu mb er	Defendant	Sample	ASIN	Trademark Address	Business Address	Link
1	FOUJOY	FOUNDY	B07WCLZHKH	No.1,Ln1066,Sanwu Rd,Luotuo St,Zhenhai Ningbo, 315000	Ningbo Zhenhai Yongcheng Zhiyi Co.,Ltd. Room 11-4, No. 1, Lane 1066, Sanwu Road, Luotuo street, Zhenhai District, Ningbo, Zhejiang,315202, CN	https://www.amazon.co m/FOUJOY- Comfortable-Oversized- Breathable- Replacement/dp/B07WL YRZMV/ref=sr 1 204?d child=1&keywords=bike ±seat&qid=1610060201 &sr=8-204
2	YBEKI		B0824TCM5N	Yao Jianbing INDIVIDUAL CHINA No.44, Jitouling Group, Huangjia Village Taiyuan Village, Nanfeng County Fuzhou, Jiangxi, 344000	Shenzhen shirui tenuo trading company Ltd. 501, No. 95, GangbianFang, Futian community, Futian street, Futian District, Shenzhen, Guangdong,518000,CN	https://www.amazo n.com/YBEKI- Comfortable-Seat- Bicycle-Thickened- Breathable/dp/B0824TC M5N/ref=sr_1_16?dchil d=1&keywords=bike+se at&qid=1610059238&sr =8-16
3	LINGMAI	No. of the second secon	B07C68LZKV	Shunde District of Foshan Shun Di commerce Co., Ltd. CHINA the New Village of Sand Lane No. 9 Fengsha, Daliang Shunde District FoShan, Guangdong CHINA 528300	Feng Sha He geng xin cun Da Dao 9 lane, No6, Fo Shan Shi, Shun De Du Da Liang, 528300, CN	https://www.amazo n.com/LINGMAI- Comfortable-Oversize- Stationary-Oversize- 02/dp/B07C68LZKV/ref =pd di sceai 33?pd rd _w=4LLVJ&pf rd p=c9 443270-b914-4430- a90b- 72e3e7e784e0&pf rd r =C1H9M16065J8YRTP 700W&pd rd r=b81b3 3f3-36f3-47f0-8b63- 5e7e82a25af3&pd rd w g=iKK2H&pd rd i=B0 7C68LZKV&psc=1
4	SUNJOYCO		B088Z1XJ5H	Shenzhen Neoteric Technology Development CO., LTD CHINA RM 1202A FLR 2 BLDG 1 Bachelor Dormitory Meilin Duoli Industry Area, Beihuan Rd. Futian Distr., Shenzhen, 518000	853 E Ohio Ave, Denver, Colorado,80209,US	https://www.amazon.co m/Comfortable- Suspension-Waterproof- Replacement- Stationary/dp/B088Z1XJ 5H/ref=sr 1 302?dchild =1&keywords=bike+sea t&qid=1610061432&sr= 8-302
5	FANCYES		B098348D21	Du,Mingzheng INDIVIDUAL CHINA Group 6,Qianxiaohuai Vil Huangfu Tn,Wanrong County Xuzhou CHINA 471002	shenzhen yinan trading company Ltd. 101, Yinfeng building, No. 2, Haihua Road, zone 50, Haihua community, Xin'an street, Bao'an District, Shenzhen, Guangdong, 518000, CN	https://www.amazo n.com/Fancyes- Oversize-Bicycle- Replacement- Universal/dp/B098348D 21/ref=sr 1 298?crid=X 5YP3W2JGEQV&dchild= 1&keywords=bike+seat+ oversized&qid=1630626 558&sprefix=bike+seat+ overs%2Caps%2C235&sr =8-298

6	AUCARKEE		B093KD3RVS	Shenzhen saihailun Technology Co., Ltd., CHINA Rm.301, Bldg.11, Heyueju, Niushipu Rd Henggang St., Longgang Dist. ShenZhen CHINA 518173	202, building 1, No. 4, Tiancheng Road, Gaofeng community, Dalang street, Longhua District, Shenzhen, Guangdong, 518109, CN	https://www.amazo n.com/Oversized- Comfortable-Cushion- Absorbing- Waterproof/dp/B093KD 3RVs/ref=sr 1 29?crid= 3PJ700C2BAO0S&dchild =1&keywords=bike+seat +oversized&qid=163062 0484&sprefix=bike+seat +over%2Caps%2C249&s r=8-29
7	DAWAY		B08S3H18B8	Chen JianXi INDIVIDUAL CHINA No.612,No.5 Liyuan Bachelor Block,Luohu District Shenzhen CHINA 518000	UGOOD LTD.  1942 Broadway Street,STE 314C, Boulder,Co, 80302, US	https://www.amazo n.com/DAWAY- Oversized-Comfortable- Bike- Seat/dp/B08S3H18B8/re f=sr 1 24?crid=3PJ700C 2BAO0S&dchild=1&key words=bike+seat+oversi zed&qid=1630620484&s prefix=bike+seat+over% 2Caps%2C249&sr=8-24
8	MONDAY		B08CZTKRZ1	N/A	TaiAn DongYuan MenYe Co., Ltd. CHINA Laocheng sub district office, No. 11 Jianshe Road, Tai'an City, Feicheng City, Shandong Province, 27100, CN	https://www.amazo n.com/Comfort-Bicycle- Oversize-Waterproof- Cruiser/dp/808CZTKRZ 1/ref=sr 1 116?dehild= 1&keywords=bike+seat &qid=1610059836&sr= 8-116
9	LAUS		B091THB2ZQ	Shenzhen Pinlv Technology Co., Ltd. CHINA F/D9, Bldg.5, Software Ind. Base, No.16 Haitian 2 Rd., Binhai Community Nanshan Dist.,Shenzhen CHINA 518000	eboece storefront  No. 11, No. 13, No. 15, No. 14, No. 16, Haitian Second Road, Binhai community, Yuehai street, D9 floor, building 5, software industry base, Nanshan District, Shenzhen, Guangdong, 518000, CN	https://www.amazo n.com/LAUS-Oversized- Comfort-Comfortable- Replacement/dp/B091T HBZZQ/ref=sr 1 397crid =3PJ700C2BAO0S&dchil d=1&keywords=bike+se at+oversized&qid=1630 620484&sprefix=bike+se at+over%2Caps%2C249 &sr=8-39
10	SIHMQIK	Strate	B089T6721K	Shenzhen Chameiee Leather Co.,Ltd. limited company (ltd.) CHINA Rm 201,No.29,Longda Community, Hongji Rd Longdong Area,Longgang Str,Longgang Dist Shenzhen CHINA 518000	Shenzhen Chameiee leather Co., Ltd  Rm 201,No.29,Longda Community, Hongji Rd Longdong Area,Longgang Str,Longgang Dist Shenzhen,518116, CN	https://www.amazo n.com/dp/B089T6721K/ ref=sspa_dk_detail_6?ps c=l&pd_rd_i=B089T67 21Kp13NParams&spLa =ZW5jenlwdGVkUXVh bGlmaWVyPUEyR09X UldYT082WkxRJmVuV 3J5cHRIZEIkPUExMD AxMjEyUTpFQk1ZMz AZSDczJmVuY3J5cHRI ZEFkSWQ9QTAyMTky NzEyMUpHQjRITVBX RTc5JndpZGdIdE5hbW U9c3BIZGV0YWISMiZ hY3Rpb249Y2xpY2tSZ WRpcmVjdCZkb05vdE xvZ0NsaWNrPXRydW U=

11	NEUFLY	B08VFQWC4Y	Shenzhen Weida Trading Technology Co., Ltd. CHINA 2602, Block 4, Haixuan Plaza, 89 Jinlong Rd, Luogang Community, Buji St Longgang Dist, Shenzhen, CHINA 518000	Shenzhen hongruimiao Trade Co., Ltd  1103, No. 4, 1st lane, CHANGKENG District, Yangmei community, Bantian street, Longgang District, Shenzhen, Guangdong Province, 518000, CN	https://www.amazo n.com/NEUFLY- Oversized-Comfort- Bicycle- Waterproof/dp/B08VFQ WC4Y/ref=sr 1 10?crid =3PJ700C2BAO05&dchil d=1&keywords=bike+se at+oversized&qid=1630 620484&sprefix=bike+se at+over%2Caps%2C249 &sr=8-10
12	ACCOT	B07X6CT7NF	ShenZhenShi LeMeng Network Technology Co.LTD LIMITED LIABILITY COMPANY CHINA	Shenzhenshi Longhuaqu Dalangjiedao,Shenzhen,51 8000,CN	https://www.amazo n.com/ACCOT- Waterproof-Bicycle- Cushion- Univesal/dp/B07X6CT7 NF/ref=sr 1 73?dchild= 1&keywords=bike+seat &qid=1610059238&sr= 8-73
13	SGODDE	N/A	Shenzhen Yisi Technology Co., Ltd limited company (ltd.) CHINA	N/A	https://www.amazo n.com/SGODDE- Oversized-Comfortable- Stationary- Waterproof/dp/B086JM KL42/ref=sr 1_2027dch ild=1&keywords=bike+s eat&qid=1610060201&s r=8-202
14	NOVASHIO N	N/A	N/A	N/A	https://www.walmar t.com/ip/Oversized- Comfort-Bike-Seat- Most-Comfortable- Replacement-Bicycle- Saddle-Universal-Fit- Exercise-Outdoor-Bikes- Suspension-Wide-Soft- Padded/437078869
15	EBIKELING	B08XFS73MQ	EFE International Inc AKA Ebikeling CORPORATION ILLINOIS Suite 107 2246 Palmer Dr Schaumburg ILLINOIS 60173/ 5658 W Fillmore St, Chicago, IL,60644, US	5658 W Fillmore St,Chicago, IL, 60644, US	https://www.amazon.com/ dp/B08XBY14B8/ref=sspa dk detail 1/spc=1kpd rd i =B08XBY14B8&pd rd i=B08XBY14B8&pd rd w= MKu3q&pf rd p=7771f1a2-d77a-4098-a19e- 6d9a1e65f44d&pd rd wg=0 6d9a1e65f44d&pd rd wg=0 52X9S89D&pd rd r=852e 1d1b-0574-4720-8678- 8e851272880∣=A18N QE175QQAZM&spLa=ZW5 jcnlwdGVkUXVbbGlmaWV yPUEyR09XUIdYT082Wkx RJmVuY3J5cHRIZEIkPUEw NjQ3NTgyMUVKMTY4SD hRVkpCUyZlbmNyeXB0Z WRBZEIkPUExMDIANZMw NTIVREhDSjZCMIdPJndpZ GdldE5hbWU9c3BIZGV0Y WISImFjGf6lvbj1jbGj1aJIZG lyZWN0JmRvTm90TG9nQ2 xpY2s9dHJIZQ=

16	IPOW	B08TQTBZY8	Shenzhen Jingdu Technology Co., Ltd. CHINA 3A02, Bldg. A, Huashenghui, Qianjin 2nd Rd. Xixiang St., Bao'an Dist. Shenzhen City CHINA	Shenzhen Houxin Trading Co., Ltd. C1-707, Building C, Bantian International Center, Huancheng South Road No. 5, Ma'antang Community, Bantian St.Longgang District, Shenzhen, Guangdong, 518 000, CN	https://www.amazon.c om/IPOW-Oversized- Thickened-Waterproof- Universal/dp/B08TQTBZY8/r ef=sr 1 52?crid=3P1700C2B AODS&dchid=1&keywords= bike+seat+oversized&qid=16 30620484&sprefix=bike+seat +over%2Caps%2C249&sr=8- 52
17	NONBRAND	B08BJW9SWQ	N/A	N/A	https://www.amazon.c om/Seat-Oversized- Comfortable-Cushion-Extra- Replacement-Universal- Soft/dp/B08BJW9SWQ/ref=s r_1 227?crid=XSYP3W2IGEQ V&dchild=1&keywords=bike +seat+oversized&qid=16306 25930&sprefix=bike+seat+ov ers%2Caps%2C235&sr=8-227
18	YQ&TL	B0972ZQQTK	N/A	N/A	https://www.amazon.c om/YQ-TL-Comfortable- Replacement-Ball- Universal/dp/B0972ZQOTk/r ef=sr_1_248?crid=X5YP3W2! GEOV&dchid=1&kevwords= bike+seat+oversized&qid=16 30625930&sprefix=bike+seat +overs%2Caps%2C235&sr=8- 248
19	WUSUOWEI	B09C5MCHF5	N/A	N/A	https://www.amazon.c om/Wusuowei-Oversized- Bicycle-Comfortable- Replacement/dp/B09C5MCH F5/ref=sr 1 2807crid=X5YB W21GFQV&dchild=1&keywor ds=bike+seat+oversized&qid =1630626330&sprefix=bike+ seat+overs%2Caps%2C235&s r=8-280
20	GAODINGD	B09D9F1YNT	N/A	N/A	https://www.amazon.c om/GADDINGD-Shock- Absorbing-Comfortable- Electric- Oversized/dp/B09D9F1YNT/r ef=sr 1 2917crid-X5VP3W2I GEQV&dchild=1&keywords= bike+seat+oversized&qid=16 30626330&sprefix=bike+seat +overs%2Caps%2C235&sr=8- 291
21	DAOZX	B0932GTV43	N/A	N/A	https://www.amazon.c om/DAOZX-Comfortable- Oversized-Breathable- Universal/dp/B0932K7TSI/re f=sr 1 301?crid=XSYP3W2IG EQV&dchild=1&keywords=bl ke+seat+oversized&qid=163 0626810&sprefix=blike+seat+ overs%2Caps%2C235&sr=8- 301